

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.18455 of 2018

Sapirutheen

... Petitioner

Vs

1.The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai-4.

2. The District Registrar,
Court Complex,
Vellipalayam,
Nagapattinam.

3. The Sub-Registrar Joint-I,
Court Complex,
Vellipalayam,
Nagapattinam.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent herein to consider the application of the petitioner in No.4332/a1/2017 dated 15.12.2017 on the file of the 3rd respondent herein.

For Petitioner :Ms.K.M.Nalinishree

For Respondents :Mr.T.M.Pappiah,
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 3rd respondent herein to consider the application of the petitioner in No.4332/a1/2017 dated 15.12.2017 pending on his file.

2. Learned Counsel appearing for the petitioner submitted that the father of the petitioner Mr.Allah Baksh died on 07.03.1993 leaving the petitioner, his wife, two sons and four daughters as his legal heirs and the petitioner's father inherited the suit from his ancestors during his life time.

Further, the brother of the petitioner pre-deceased his father. While so, an oral family arrangement took place on 18.01.2015 among the children of Allah Baksh. The wife of Allah Baksh was allotted 14/64th share, the deceased son, the petitioner and other daughters were allotted 14/64th share and a compromise was also reached in a civil suit in O.S.No.9/2017 on the file of the District Court, Nagapattinam on 06.10.2017 among the petitioner and other legal heirs. On the same day, the District Court has passed a Compromise Decree. The said decree has to be registered by the 3rd respondent herein. Therefore, the petitioner approached the 3rd respondent on 15.12.2017 through Online, there is no response for the same. Hence the present Writ Petition.

3. Mr.T.M.Pappiah, learned Special Government Pleader taking notice for the respondents submitted that the petitioner has to pay the necessary charges and comply with other procedures contemplated for registration of Compromise Decree and after complying with all the requirements, his application would be considered.

4. Recording his statement, the petitioner is directed to approach the 3rd respondent for paying the necessary charges and after complying with all requirements, the 3rd respondent shall consider his application dated 15.12.2017 for registering the Compromise Decree passed in O.S.No.9/2017 on the file of the District Court, Nagapattinam dated 06.10.2017 within a period of three weeks from the date of receipt of a copy of this Order.

5. The Writ Petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

tsi

To

1.The Inspector General of Registration,
Santhome High Road, Mylapore,
Chennai-4.

2. The District Registrar,
Court Complex,
Vellipalayam,
Nagapattinam.

3. The Sub-Registrar Joint-I,
Court Complex,
Vellipalayam,
Nagapattinam.

+1 CC to Mr.K.M. Nilinishree, Advocate sr 49636.
+1 CC to Govt. Pleader sr 49967.

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NM(CO)
GSP(10/08/2018)



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